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**Kyle Knoeck M.Sc.Pl., MCIP, RPP**  
Director, Zoning and Secretary-Treasurer  
Committee of Adjustment  
City Planning Division

Committee of Adjustment  
Toronto and East York  
Toronto City Hall  
100 Queen Street West  
Toronto, Ontario M5H 2N2

416-392-0413  
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Tuesday, June 11, 2024

**NOTICE OF DECISION  
MINOR VARIANCE/PERMISSION  
(Section 45 of the Planning Act)**

**File Number:** A0346/24TEY  
**Property Address:** 888 DUPONT ST  
**Legal Description:** PLAN 814 W PT LOTS 7 & 8 PLAN 197 W PT LOTS 49 & 50  
**Agent:** BOUSFIELDS INC  
**Owner(s):** 888 DS CORP.  
**Zoning:** CR 2.5 (c1.0; r2.0) SS2 (x683) and EL 2.0 (x21) Exception CR 683  
(Waiver)  
**Ward:** University-Rosedale (11)  
**Community:** Toronto  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, June 5, 2024**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To alter the development standards, as approved within Site Specific Zoning By-law 841-2022, which include increasing the mixed-use building height (from 14-storeys to 17-storeys) and gross floor area, revisions to the permitted projections and encroachments, building setbacks, and a reduction in the number of parking spaces.

**REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**

**1. Section 9(D), By-law 841-2022 (Exception CR 683)**

The maximum permitted height of a building or structure as shown following the symbol "HT" on Diagram 7 of By-law 841-2022, excluding mechanical penthouse, is 50 m.

The maximum height of a building or structure as shown on the Revised Diagram 7, with a total height, excluding mechanical penthouse, will be 56 m.

- 2. Section 9(E)(i), By-Law 841-2022 (Exception CR 683)**  
Equipment used for the functional operation of the building including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, may project beyond the permitted building height by a maximum of 6 m.  
In addition to the permitted projections listed in 9(E)(i), recreational indoor amenity space may project beyond the permitted building height by a maximum of 6 m.
- 3. Section 9(F), By-Law 841-2022 (Exception CR 683)**  
The minimum required building setbacks and separation of main walls are as shown on Diagram 7 and Diagram 8 attached to By-law 841-2022.  
The minimum building setbacks and separation of main walls are as shown on the Revised Diagram 7 and Revised Diagram 8.
- 4. Section 9(G)(iii), By-Law 841-2022 (Exception CR 683)**  
The public art feature (restored chimney), not included in 9(G)(ii), as shown on Diagram 8, may encroach into the required minimum building setbacks and main wall separation distances by a maximum of 4.8 m.  
The public art feature (restored chimney) as shown on Revised Diagram 8, will encroach into the required minimum building setbacks and main wall separation distances by a maximum of 9 m.
- 5. Section 9(P), By-Law 841-2022 (Exception CR 683)**  
The total maximum permitted gross floor area for all uses on Part A and Part B on Diagram 2 of By-Law 842-2022, or part thereof, is 14,850 m<sup>2</sup>.  
All uses on Part A and Part B will have a gross floor area of 17,918 m<sup>2</sup>.
- 6. Section 9(P)(i), By-Law 841-2022 (Exception CR 683)**  
The total permitted residential gross floor area on Part A as shown on Diagram 2 of By-Law 842-2022 shall not exceed 12,850 m<sup>2</sup>.  
The total residential gross floor area on Part A will be 16,301 m<sup>2</sup>.
- 7. Section 9(T)(iii), By-Law 841-2022 (Exception CR 683)**  
In addition to 9(T)(ii), a minimum of 0.05 residential visitor parking spaces for each dwelling unit is required.  
In this case, 0 additional residential visitor parking spaces for each dwelling unit will be provided.
- 8. Section 9(T)(vi), By-Law 841-2022 (Exception CR 683)**  
A minimum of three “car share” spaces is required.  
In this case, two “car share” spaces will be provided.

- 9. Section 9(W)(iii), By-Law 841-2022 (Exception CR 683)**  
The accessible parking spaces must be located within 20 m of a barrier free entrance to the building or passenger elevator that provides access to the first storey of the building.  
In this case, accessible parking spaces will be located within 32 m of a barrier free entrance to the building or passenger elevator that provides access to the first storey of the building.
- 10. Section 9(X), By-Law 841-2022 (Exception CR 683)**  
A minimum of six parking spaces of the required parking spaces on the lot are required to be accessible parking spaces.  
In this case, a minimum of two accessible parking spaces will be provided on the lot.
- 11. Section 10(G), By-Law 841-2022 (Exception EL 21))**  
The minimum required building setbacks and separation of main walls are as shown on Diagram 7 and Diagram 8 attached to By-law 841-2022.  
The minimum building setbacks and separation of main walls is as shown on the Revised Diagram 7 and Revised Diagram 8.
- 12. Schedule A, Section 37 Provisions, Clause (A)(i), By-Law 841-2022**  
Schedule A of the by-law requires that 20 new affordable rental housing dwelling units, comprised of at least 10% of the total residential Gross Floor Area, of the new 14-storey mixed-use building shall be provided, all to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Housing Secretariat.  
In this case, the new 17-storey mixed-use building will include 20 new affordable housing dwelling units.
- 13. Schedule A, Section 37 Provisions, Clause (A)(i)(b), By-law 841-2022**  
One bedroom Affordable Housing Units are required to have a minimum unit size of 48.7 m<sup>2</sup> and a minimum average unit size of 55 m<sup>2</sup> and two bedroom Affordable Housing Units are required to have a minimum unit size of 60 m<sup>2</sup> and a minimum average unit size of 67.3 m<sup>2</sup>.  
In this case, the new 17-storey mixed-use building will include one bedroom Affordable Housing Units that will have a minimum unit size of 48.7 m<sup>2</sup> and two bedroom Affordable Housing Units that will have a minimum unit size of 60 m<sup>2</sup>.
- 14. Schedule A, Section 37 Provisions, Clause (B)(vi)(a), By-law 841-2022**  
A minimum of three car share parking spaces is required.  
In this case, two car share parking spaces will be provided.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

### **The Minor Variance Application is Approved on Condition**

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

The decision is subject to the following condition(s):

- (1) The owner/applicant must obtain approval from City Council for any changes required to the draft Section 37 Agreement and for a final Section 37 Agreement to be entered into and registered on title to the lands, to the satisfaction of the Executive Director and Chief Planner, Toronto and East York District, City Planning and the City Solicitor.
- (2) The owner/applicant must submit a revised Pedestrian Wind Study (wind tunnel study) to the satisfaction of the Executive Director and Chief Planner, Toronto and East York District, Toronto and East York District, City Planning, prior to the issuance of the Notice of Approval Conditions (related to Site Plan Control Application 21 206371 STE 11 SA).
- (3) The owner/applicant must provide an updated Transportation Impact Study justifying the deviation of the parking supply from the Site Specific Zoning By-Law 841-2022, to the satisfaction of the Manager, Traffic Planning/Development, Planning and Review, Area 1, Transportation Services, Toronto and East York District.

**SIGNATURE PAGE**

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(Waiver)  
Ward: University-Rosedale (11)  
Community: Toronto  
Heritage: Not Applicable



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YIM CHAN (CHAIR)



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ZAHEER BHYAT



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NAZILA ATARODI-WEST



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DOUG WILKINS

DATE DECISION MAILED ON: **Tuesday, June 11, 2024**

LAST DATE OF APPEAL: **Tuesday, June 25, 2024**

CERTIFIED TRUE COPY



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Sabrina Salatino  
Manager and Deputy Secretary-Treasurer  
Committee of Adjustment, Toronto and East York District

## Appeal Information

Only the applicant, the Minister, or a specified person or public body that has an interest in the matter may appeal this decision.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to [coa.tey@toronto.ca](mailto:coa.tey@toronto.ca) and [Sabrina.Salatino@toronto.ca](mailto:Sabrina.Salatino@toronto.ca) by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal to the Ontario Land Tribunal (OLT) for the same matter.

A related appeal is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal should be submitted in accordance with the Ontario Land Tribunal (OLT) appeal instructions.

### **TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB, you must submit the following:

- A completed TLAB Notice of Appeal (Form 1).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary-Treasurer you will receive payment instructions.

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB website at [www.toronto.ca/tlab](http://www.toronto.ca/tlab).

### **ONTARIO LAND TRIBUNAL (OLT) APPEAL INSTRUCTIONS**

To appeal this decision to the OLT, you must submit the following:

- A completed OLT Appellant Form (A1).
- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
- Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the Minister of Finance. If you would like to pay the fee by credit card, please indicate this on the appeal form and staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the OLT website at <https://olt.gov.on.ca/appeals-process/>